



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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ENVIRONMENTAL PROTECTION BUREAU

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October 29, 2013

VIA ECF

Magistrate Judge Vera M. Scanlon
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201
Via ECF

Re: *State of New York v. West Side Corp., et al.*
U.S. Dist. Ct., E.D.N.Y. Index No. CIV 07-4231 (ENV)(VMS)

Dear Magistrate Scanlon:

This office represents the Plaintiff State of New York (the "State") in the above-referenced action. I am writing on behalf of all the parties to apprise the Court of the progress of settlement negotiations in this case pursuant to the Court's Scheduling Order dated August 20, 2013.

The State provided counsel for defendants West Side Corp. and Sheldon Schiff (the "defendants") with a draft proposed Consent Decree setting forth the terms of settlement that the parties agreed to on August 12, 2013. Defendants' counsel provided comments to the State on October 28, 2013, and the State is currently reviewing defendants' comments.

Respectfully submitted,

s/ Janice A. Dean

Janice A. Dean
Assistant Attorney General

cc: Joshua M. Levy, Esq. (via ECF)
Edna Sussman, Esq. (via Electronic Mail)
Gerald P. Lepp, Esq. (via Facsimile)